

PATENT

Atty. Docket No.: IBM/182

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

Confirmation No. 4082

I hereby certify that this correspondence for Application No. 09/939,232 is being electronically transmitted to the United States Patent and Trademark Office Board of Patent Appeals and Interferences, via EFS-WEB, on September 8, 2006.

/Douglas A. Scholer/  
Douglas A. Scholer, Reg. No. 52,197

September 8, 2006  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: William Joseph Armstrong et al. Art Unit: 2123  
Application No.: 09/939,232 Examiner: Jason Scott Proctor  
Filed: August 23, 2001  
For: SYSTEM FOR YIELDING TO A PROCESSOR

**COMMUNICATION**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper and the Amended Appeal Brief enclosed herewith are submitted in reply to the Notice of Non-Compliant Appeal Brief dated August 8, 2006, within the one month period for response. Applicants have amended the Appeal Brief to include a concise explanation of the subject matter defined in each of the independent claims involved in the appeal as required under 37 CFR 41.37(c)(1). However, no concise explanation of the subject matter of the dependent claims is provided as no such explanation is required by 37 C.F.R. § 41.37(c)(1)(v). Furthermore, while Applicants submit that the claims contained in the Appendix were a correct copy of the appealed claims according to 37 CFR 41.37(c)(1)(viii), Applicants have nonetheless removed the status identifiers per the Examiner's note for Item 7 in the Notice. Applicants respectfully submit that the Appeal Brief is now compliant and request that the Appeal Brief be submitted to the Board of Patent Appeals and Interferences for consideration.

If there are any questions regarding this paper, or which might otherwise further this case onto allowance, please contact the undersigned at (513) 241-2324. Moreover, if any other

charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

September 8, 2006

Date

/Douglas A. Scholer/

Douglas A. Scholer  
Reg. No. 52,197  
WOOD, HERRON & EVANS, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
(513) 241-2324